

The InterLocal Conflict Resolution Group (ILCRG) is a consortium of government agencies, labor unions, non-profits, and volunteer professionals jointly formed by King County and the King County Labor Council to offer mediation to its members at no cost.

This shared neutrals program affords the opportunity for member agencies and unions to draw from a pool of mediators who have no direct relationship to the disputes. As a result, sensitive issues that require confidentiality and neutrality can be mediated by qualified professionals.

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Role of the Mediator during Client Opening Statements

By Kathleen Nichols

"People don't care how much you know until they know how much you care."

President Theodore Roosevelt

I recently ran across this quote from Teddy Roosevelt, and it struck me as being apropos to the very thing that Polly Davis and I were discussing recently. As we watch new mediator trainees participate in role plays and mock mediations, we see them struggle during the client opening statements with trying to capture every detail

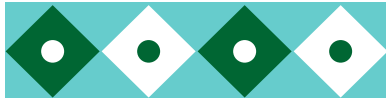
and fine point of the situation that brought the parties to the mediation table. Often with their heads down, taking copious notes, and asking tons of questions, they seem intent on getting the whole story right then and there.

Why is that? I can think of at least a couple of reasons that new mediators get focused on details. First, there's a concern that they won't be able to accurately restate, or feedback the content of, the opening statement. Second, most new mediators can't shake the idea that the clients are depending on them to solve the problem.

Building Rapport

All of this note-taking and attention to the small details comes at a price. If you're focused on taking notes and concentrating on the minutiae of the situation, you are missing the opportunity to really make a connection with the participants. I believe this is the mediator's main task during the clients' opening statements – **build rapport, make a connection, let them know you are trying to understand their distress**. Studies show that when parties have made that connection, they are much more satisfied with the mediation process and with the presence of the mediators.

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Role of the Mediator during Client Opening Statement

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Clients don't expect mediators to get all the details right away. What they need to know is that you are listening, caring, and relating to them on an emotional level. They need you to reflect (or feed back to them what you're hearing about their feelings) so they know you are trying to get an understanding of what they are going through. For this you need to make eye contact, to direct your attention to the client, to lean slightly forward – generally to convey genuine concern and empathy. Yes, you will want to restate the content as best you can. If you're concerned you didn't get it all, apologize in advance (something like, "I'm going to try to restate some of what you said; I apologize if I didn't get everything, but I definitely heard your frustration at the situation").

Ask minimal questions at this point. Seasoned mediators don't ask any questions at all during client opening statements unless it's "Tell me more about..." Keep in mind that you don't need the details, so practice being content with hearing what the clients are ready to tell you. It's too early to even be thinking about solutions, so get that off the agenda in your head. If you don't get all of the facts correct, clients will let you know, and they will forgive you. What is harder to recover from is not having the rapport you will need later. Remember that the mediation is normally scheduled for a long period of time – often the whole day. You will get much more information during the negotiation phase when they begin to talk with each other in detail about what brought them to mediation. That's when you will get a better understanding of the content that will help you formulate the thought-provoking questions that might help open the clients' minds around possible solutions.

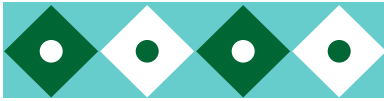
If you've done a good job up front with the rapport-building part of the process, the clients will have developed the trust in you that will be crucial when you ask those sometimes-challenging questions. And, if you have to do some reality checking, the client will be much more open to it if that personal connection has been made.



KUDOS KORNER

Congratulations to our newest Certified Mediators: Doug Kilgore and Linda Gallagher in 2013 and Vinh Do in 2014. Congrats also to Paul Atwater, Kristen Beifus, Jennifer Greenlee, Kate Flack, Sandra Philbrook, and Joe Tessier, all of whom passed their mocks and moved into the co-mediation phase of the practicum.

A special thank you to Lars Watson and Debra Oliver for doing a fabulous job with design and presentation of the "Really Great Questions" training in November.



ADR, LEAN, and Visual Management

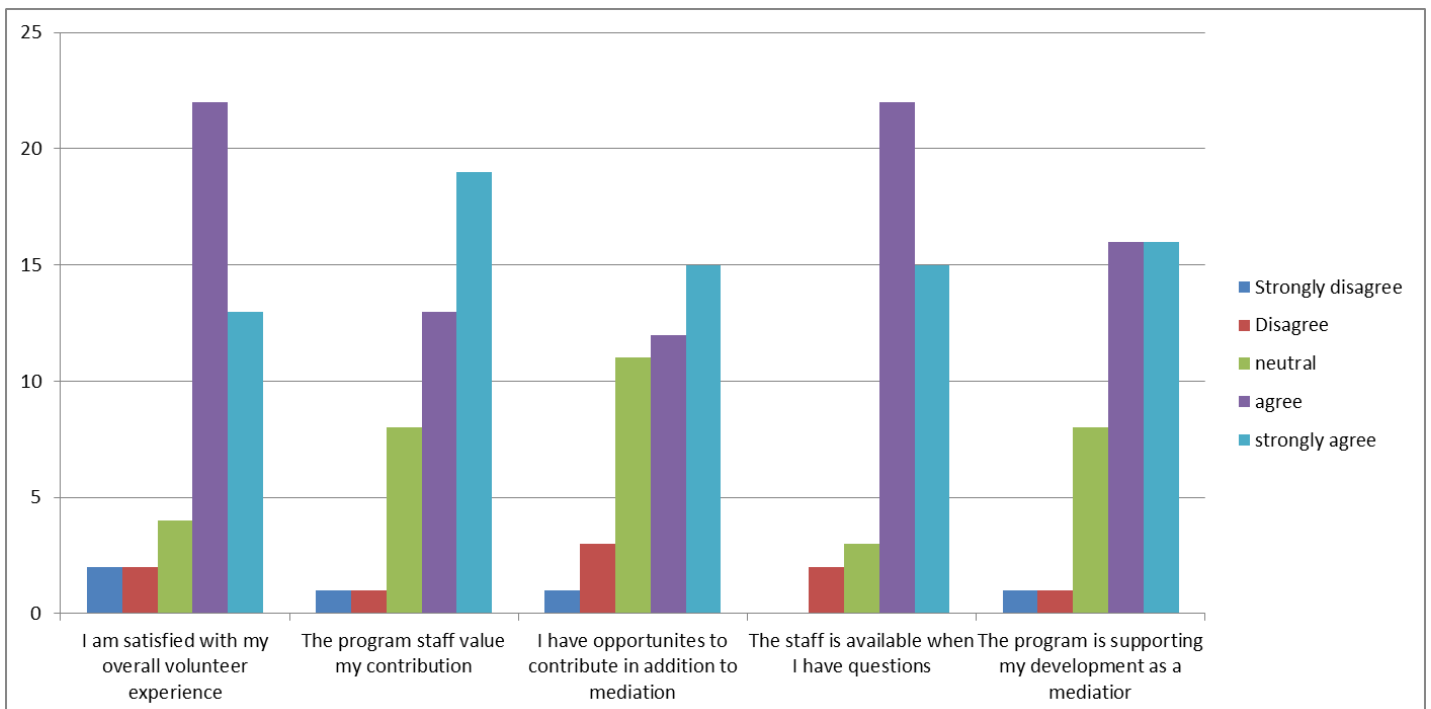
The County has embraced LEAN principles and practices as a way to create a more effective government, and the Office of Alternative Dispute Resolution (ILCRG) has adopted measurement tools to help us better understand the work we do and how to improve it.

Come look at our visual management display and ask us about our balanced score card. You will be able to see how we are doing on our Equity and Social Justice Commitments, our customer satisfaction measures, and much more.

You can see practicum progression, and ask us about our strategies for reducing the cycle time to certification, one of the key measurements on our balanced score card.

Volunteer Survey Results

Thanks to all who participated in our 2014 Volunteer Survey. In addition to the responses in key areas (see graph below), we received many fabulous suggestions for improvements to the volunteer experience, including ways to build community among volunteers. Watch for more detailed information in the next Newsletter (mid-April).





ILCRG 2014 TRAINING CALENDAR

Date	Room(s)	Time	Session
February 25	Chinook Rm.123	9:00 am to 12 noon	Co-Mediation
May 22	Chinook Rm. 123	11:30 am to 1:00 pm	Volunteer Appreciation Luncheon
June Dates TBD	Selig Bldg Rooms TBD	8:30 am to 4:30 pm	Interpersonal Conflict Resolution - 2-day Training
July 16	Chinook Rm.123	8:30 am to 12 noon 1:00 pm to 4:30 pm	The Negotiation Phase Writing Durable Agreements
September 3	Chinook Rm.123	8:30 am to 12 noon 1:00 pm to 4:30 pm	Presence and Authenticity Developing Empathy
November 14	Chinook Rm. 123	8:30 am to 12 noon 1:00 pm to 4:30 pm	Guest Speaker(s) TBD Guest Speaker(s) TBD

Please remember to RSVP for trainings and to let us know as soon as you become aware that you won't be able to attend. Class sizes are limited, and there is often a waiting list. If you don't cancel, another volunteer misses out!

Ten Principles for Internal Neutrals

At the annual ADR Program Staff Retreat, program staff brainstormed some principles for best service as internal neutrals. We'd love feedback from volunteers on these guiding standards .

1. Enter through conflict – (prevent, manage, improve, resolve).
2. Partner with union and management
3. Facilitate; don't fix, own, or evaluate.
4. "Yes, Yes, Yes, and..." (Be flexible and responsive to meet needs).
5. Build an inclusive community of ADR supporters. (Keep everyone happy with ADR).
6. Find a way to care about each person.
7. Invite and receive and respond to feedback
8. Model direct and thoughtful communication on tough issues.
9. Be clear about ADR neutral role; articulate, contract and manage expectations
10. Draw from the best from available resources.